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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MUSTAFA YOUSIF and SHARONE WALKER)
on behalf of themselves and all others similarly)
situated,)

Plaintiffs,)

v.)

THE VENETIAN CASINO RESORT, LLC;)
LAS VEGAS SANDS, CORP and DOES 1)
through 50, inclusive,)

Defendants.)

CASE NO. 2:16-cv-02941-RFB-NJK

**STIPULATION AND [PROPOSED]
ORDER TO STAY ACTION PENDING
MEDIATION**

Pursuant to Local Rules ("LR") IA 6-2 and LR 7-1, Plaintiffs MUSTAFA YOUSIF and SHARONE WALKER ("Plaintiffs"), by and through their counsel of record THIERMAN BUCK, LLP, and Defendant THE VENETIAN CASINO RESORT, LLC ("Defendant"), by and through its

counsel of record OGLETREE, DEAKINS, NASH, SMOAK, & STEWART, P.C., hereby request and stipulate to stay the entire action, including but not limited to the class certification briefing and hearing date, in the above captioned matter pending mediation.

The purpose of the Stay is to promote judicial economy and allow this court to more effectively control the disposition of the cases on its docket with economy of time and effort for itself, for counsel, and the litigants. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254 (U.S. 1936) (“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”); *Pate v. DePay Orthopedics, Inc.*, 2012 WL 3532780, at * 2 (D. Nev. Aug. 14, 2012) (“A trial court may, with propriety, find it is efficient for its own docket and the fairest course for the parties to enter a stay of an action before it, pending resolution of independent proceedings which bear upon the case.”), *citing Leyva v. Certified Grocers of Cal., Ltd.*, 593 F.2d 857, 863 (9th Cir. 1979).

The Parties have agreed to attend mediation and attempt resolution of all remaining claims in the action. The Parties are soliciting available dates from proposed mediators at this time. Pending the outcome of the Parties’ attempt to achieve a resolution of all remaining claims, the Parties will provide a Status Report to the Court no later than fifteen (15) days following the mediation setting forth the following dates:

1) Should the Parties reach a settlement, the Parties will set forth a proposed briefing schedule for Settlement approval.

2) Should the Parties be unsuccessful at resolving all claims, the Parties shall set forth a proposed briefing schedule to address (1) Plaintiffs’ Motion for a Protective Order [DKT. #134] and (2) Plaintiffs’ Motion for Class Certification Under Rule 23 of the Federal Rules of Civil Procedure [DKT. # 126].

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This Stipulation is made in good faith and not for the purposes of undue burden or delay.

IT IS SO STIPULATED:

Dated this 18th day of July 2019
THIERMAN BUCK, LLP

/s/ Leah L. Jones

Mark R. Thierman, Esq., Bar No. 8285
Joshua D. Buck, Esq., Bar No. 12187
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Attorneys for Plaintiffs

Dated this 18th day of July 2019
OGLETREE, DEAKINS, NASH, SMOAK, &
STEWART, P.C.

/s/ Molly M. Rezac

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Attorneys for Defendant

ORDER

IT IS HEREBY ORDERED that the Parties' Stipulation and Order to stay action in the above captioned matter is **granted**.

IT IS FURTHER ORDERED that the Parties will submit a Joint Status Report no later than 15 days following the Parties' mediation to inform the Court if the Parties have come to an early resolution.

IT IS SO ORDERED:



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED this 22nd day of July, 2019.